

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WILLIAM LEAK,
Petitioner,

v.

**SUPERINTENDENT
MICHAEL CLARK, *et al.*,**
Respondents.

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CIVIL ACTION NO. 17-CV-2608

ORDER

AND NOW, this 13th day of September 2022, upon consideration of Petitioner William Leak's Motion for Relief from Judgment Under Fed. R. Civ. P. 60(b) (ECF No. 84), it is **ORDERED** that:

1. The Motion is **DISMISSED** for lack of subject matter jurisdiction without prejudice to Leak's right to file with the United States Court of Appeals for the Third Circuit an application to file a second or successive habeas petition. *See* 28 U.S.C. § 2244(b)(3)(A).
2. A Certificate of Appealability is **DENIED** pursuant to 28 U.S.C. § 2253(c) because reasonable jurists would not debate the propriety of this Court's procedural ruling with respect to these claims. *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.